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Introduction

All organisations that process *personal data* are required to comply with data protection legislation. This includes in particular the Data Protection Act 1998 (or its successor) and the EU General Data Protection Regulation (together the 'Data Protection Laws'). The Data Protection Laws give individuals (known as 'data subjects') certain rights over their *personal data* whilst imposing certain obligations on the organisations that process their data.

As a recruitment business Teamwork Selection collects and processes both *personal data* and *sensitive personal data*. It is required to do so to comply with other legislation. It is also required to keep this data for different periods depending on the nature of the data.

We at Teamwork Selection respect your concerns about privacy. This policy sets out the type of personal data we collect, who we might share it with, and how and why it is used. It explains your rights in deciding how we use your information and the measures we take to protect it, and how to contact us if you need to.

This policy should be read in conjunction with the Data Protection Procedure.

Definitions

In this policy the following terms have the following meanings:

'consent' means any freely given, specific, informed and unambiguous indication of an individual's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the *processing* of personal data relating to him or her;

'data controller' means an individual or organisation which, alone or jointly with others, determines the purposes and means of the *processing of personal data*;

'data processor' means an individual or organisation which processes *personal data* on behalf of the *data controller*;

'personal data'* means any information relating to an individual who can be identified, such as by a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

'personal data breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, *personal data*;

'processing' means any operation or set of operations performed on *personal data*, such as collection, recording, organisation, structuring, storage (including archiving), adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

'profiling' means any form of automated *processing of personal data* consisting of the use of *personal data* to evaluate certain personal aspects relating to an individual, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

'pseudonymisation' means the *processing of personal data* in such a manner that the *personal data* can no longer be attributed to an individual without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the *personal data* are not attributed to an identified or identifiable individual;

'sensitive personal data'* means *personal data* revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the *processing* of genetic data, biometric data, data concerning health, an individual's sex life or sexual orientation and an individual's criminal convictions.

* For the purposes of this policy we use the term '*personal data*' to include '*sensitive personal data*' except where we specifically need to refer to *sensitive personal data*.

'Supervisory authority' means an independent public authority which is responsible for monitoring the application of data protection. In the UK the *supervisory authority* is [the Information Commissioner's Office](#) (ICO).

All of these definitions are *italicised* throughout this policy to remind the reader that they are defined terms.

Data Processing under the Data Protection Laws

Teamwork Selection processes *personal data* in relation to its own staff, work-seekers and individual client contacts and is a *data controller* for the purposes of the Data Protection Laws. Teamwork Selection has registered with the ICO and its registration number is Z6926747.

The data protection principles

The Data Protection Laws require Teamwork Selection acting as either *data controller* or *data processor* to process data in accordance with the principles of data protection. These require that *personal data* are:

1. Processed lawfully, fairly and in a transparent manner;
2. Collected for specified and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. Accurate and kept up to date; every reasonable step must be taken to ensure that *personal data* that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
5. Kept for no longer than is necessary for the purposes for which they were processed;
6. Processed in a manner that ensures appropriate security of the *personal data*, including protection against unauthorised or unlawful *processing* and against accidental loss, destruction or damage, using appropriate technical or organisational measures; and that
7. The *data controller* shall be responsible for, and be able to demonstrate, compliance with the principles.

How do we collect your data?

We collect information about you in various ways. When you contact us or apply for a job that is advertised on our own website, or through a jobs board such as 'Indeed', when you visit our office and complete application forms and other documentation and through email and telephone conversations we have with you. We may also gather your personal information during events and via social media.

What do we collect?

When you first contact us, the types of information we may collect from you are:

- Name and title
- Date of birth
- Contact details, including telephone number, email address and postal address
- Experience, training, education and qualifications
- Details of family or friends you have suggested we contact

Plus any other information you have included on your CV or covering letter.

Later, if you register with us as a candidate or apply for a position, we may also collect the following information:

- Your photograph
- National Insurance number
- Tax details
- Next of kin's name, relationship and contact information

- Disability/health conditions relevant to the roles in which we may look to place you
- Medical history including sickness records and smoking / drinking / drug habits
- Nationality, Languages spoken, Immigration status, Details of Work Visa
- ID information, including photocopies of documents
- Bank Account details
- Details of motor accidents from last 3 years
- Details of accidents at work including compensation applied for or received
- Gender, Marital status
- Information obtained via references taken from your previous employment or personal referees whose details you have provided
- Information obtained via any psychometric assessment tools, which will be selected by the Company and to which you have willingly taken part.
- Unspent Criminal Convictions

If you apply for a position which has an exemption to the Rehabilitation of Offenders Act 1974, you will be asked to provide information of all spent and unspent convictions and we will process this data as permitted under local law.

Information collected by automated means

When you use our website, information about you may be collected through the use of cookies. A cookie is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing. We use cookies to improve your browsing experience and to gather anonymous information to help us improve our site.

We use Google Analytics to keep track of what pages and links are popular and which ones do not get used as much to help us keep our site relevant and up to date. The information collected is anonymous and is grouped with the information from everyone else's cookies. We can then see the overall pattern of usage rather than any one person's activity. Further information can be found at www.google.co.uk/analytics.

If you would like to know more about managing your cookies, please see the documentation for your web browser.

Why do we collect your data?

Teamwork Selection may hold *personal data* on individuals for the following purposes:

- To administer and process candidate's data in order to provide work-finding services;
- To administer and process client's data in order to supply/introduce work-seekers;
- To *process* this data using software solution providers and back office support;
- To create and manage online accounts;
- To process accounts and records;
- Staff administration;
- Advertising, marketing and public relations, such as sending promotional material, job alerts to candidates etc;
- To invite to and administer special events, promotions, offers, surveys and market research;
- To respond to individual's enquiries;

- To operate, evaluate and improve our business (including developing, enhancing and improving our services, managing communications, performing data analysis, and performing accounting, auditing and other internal functions);
- To protect against, identify and seek to prevent fraud and other unlawful activity, claims and other liabilities; and
- To comply with obligations and rights and cooperate with investigations carried out by the police, government or regulators.

If you register with us as a candidate or apply for a position, we may also use your data:

- To assess your suitability as a candidate and your experience and qualifications for positions;
- To provide you with job opportunities and work;
- To provide you with HR services including payroll, performance management and disciplinary actions;
- To provide training and other career based services; or
- To perform data analysis such as reviewing our database of candidates and clients, assessing individual performance and capabilities including scoring on work-related skills, identifying skills shortages, matching candidates with potential work opportunities and analysing trends in hiring practices.

We may also use the information in other ways to those listed above, but we will provide specific notice about this at or before the time of collection.

Teamwork Selection will only process your *personal data* where it has a legal basis for doing so (see Annex A). Where we do not have a legal reason for *processing personal data* any processing will be a breach of the Data Protection Laws.

Before you register with us, we collect data from you on the basis of a legitimate interest in providing you with work-finding services. Once you have registered with us, we will ask your consent to further process your data. Please see 'Rights of the Individual' for more on giving and withdrawing your consent for this.

Teamwork Selection will review the *personal data* it holds on a regular basis to ensure it is being lawfully processed and it is accurate, relevant and up to date and those people listed in the Appendix shall be responsible for doing this.

Sharing your information

Before transferring *personal data* to any third party (such as past, current or prospective employers, suppliers, customers and clients, intermediaries such as umbrella companies, persons making an enquiry or complaint and any other third party (such as software solutions providers and back office support)), Teamwork Selection will establish that it has a legal reason for making the transfer.

We do not disclose your personal data except as we describe in this Privacy Policy, or in individual notices that relate to a specific activity.

We may share it with vendors who perform services at our instruction. These vendors are only permitted to use or disclose the information where it is necessary to carry out a service on our behalf or to comply with legal requirements.

We may also share your information with our affiliates and subsidiaries, for example with clients who are looking for candidates and others who we feel may help to find you work, such as job placement consultants and subcontractors.

Also, we may disclose information to third parties to comply with legal obligations and cooperate with investigations carried out by the police, government or regulators to protect against, identify and seek to prevent fraud and other unlawful activities, claims and other liabilities. We will only disclose this information if we feel it is necessary or appropriate to prevent physical harm or financial loss, in connection with an investigation of suspected or actual fraudulent or illegal activity.

We reserve the right to transfer all personal data we have about you if we sell or transfer all or part of the business or assets, including as part of a reorganisation, dissolution or liquidation.

Information may also be collected through a third party plug-in as Facebook, Twitter and LinkedIn. This will be subject to the privacy policies of those providers, and Teamwork Selection cannot be held responsible for their practices.

Privacy by design and by default

Teamwork Selection has implemented measures and procedures that adequately protect the privacy of individuals and ensures that data protection is integral to all *processing* activities. This includes implementing measures such as:

- data minimisation (i.e. not keeping data for longer than is necessary);
- *pseudonymisation*;
- anonymization;
- cyber security

Rights of the Individual

Teamwork Selection shall provide any information relating to data *processing* to you in a concise, transparent, intelligible and easily accessible form, using clear and plain language. The information shall be provided in writing, or by other means, including, where appropriate, by electronic means. Teamwork Selection may provide this information orally if requested to do so by the individual.

Privacy notices

Where Teamwork Selection collects *personal data* from you, we will give you a privacy notice at the time when we first obtain the *personal data*. If you contact us through our own website, for example by clicking 'apply' for a position listed, or you email one of our recruitment email addresses you will receive a copy of the privacy notice as soon as possible, usually by automated reply.

Copies of our privacy notice will also be available to read in our reception and on our website.

When you register we will ask you to sign our terms and conditions which will confirm your consent to us further processing your data. If you do not want us to process your data you should not apply for work, register with us, or send us your CV.

We may receive your data from a third party, such as LinkedIn. In these instances we will endeavour to send you a copy of our privacy policy and seek your consent to process your data as soon as possible after our first contact with you.

If we intend to disclose your *personal data* to a third party then the privacy notice will be issued when the *personal data* are first disclosed (if not issued sooner).

Where we intend to further process the *personal data* for a purpose other than that for which the data was initially collected, Teamwork Selection will give the individual information on that other purpose and any relevant further information before it does the further *processing*.

Subject access requests

The individual is entitled to access their *personal data* on request from the *data controller*. Subject Access Requests should be made to Juliet Capelastegui, Data Protection Officer by emailing dataprivacy@teamwork-selection.co.uk

Rectification

The individual or another *data controller* at the individual's request, has the right to ask Teamwork Selection to rectify any inaccurate or incomplete *personal data* concerning an individual.

If Teamwork Selection has given the personal data to any third parties it will tell those third parties that it has received a request to rectify the *personal data* unless this proves impossible or involves disproportionate effort. Those third parties should also rectify the *personal data* they hold - however Teamwork Selection will not be in a position to audit those third parties to ensure that the rectification has occurred.

Erasure

You or another *data controller* at your request, has the right to ask us to erase your *personal data*.

If we receive a request to erase, we will ask you if you want your *personal data* to be removed entirely or whether you are happy for your details to be kept on a list of individuals who do not want to be contacted in the future (for a specified period or otherwise). We cannot keep a record of individuals whose data has been erased so you may be contacted again by us should we come into possession of your *personal data* at a later date, for example if you apply for another job with us.

If we have made the data public, we shall take reasonable steps to inform other *data controllers* and *data processors* processing the *personal data* to erase the *personal data*, taking into account available technology and the cost of implementation.

If Teamwork Selection has given the *personal data* to any third parties it will tell those third parties that it has received a request to erase the *personal data*, unless this proves impossible or involves disproportionate effort. Those third parties should also rectify the *personal data* they hold - however Teamwork Selection will not be in a position to audit those third parties to ensure that the rectification has occurred.

Restriction of processing

You or a *data controller* at your request, has the right to ask Teamwork Selection to restrict its *processing* of an individual's *personal data* where:

- challenges the accuracy of the *personal data*;
- The *processing* is unlawful and the individual opposes its erasure;
- We no longer need the *personal data* for the purposes of the *processing*, but the *personal data* is required for the establishment, exercise or defence of legal claims; or
- you have objected to *processing* (on the grounds of a public interest or legitimate interest) pending the verification whether the legitimate grounds of Teamwork Selection override those of the individual.

If Teamwork Selection has given the *personal data* to any third parties it will tell those third parties that it has received a request to restrict the *personal data*, unless this proves impossible or involves disproportionate effort. Those third parties should also rectify the *personal data* they hold - however Teamwork Selection will not be in a position to audit those third parties to ensure that the rectification has occurred.

Data portability

You shall have the right to receive *personal data* concerning yourself, which you have provided to Teamwork Selection, in a structured, commonly used and machine-readable format and have the right to transmit those data to another *data controller* in circumstances where:

- The *processing* is based on your *consent* or a contract; and
- The *processing* is carried out by automated means.

Where feasible, Teamwork Selection will send the *personal data* to a named third party on your request.

Object to processing

You have the right to object to your *personal data* being processed based on a public interest or a legitimate interest. You will also be able to object to the *profiling* of their data based on a public interest or a legitimate interest.

Teamwork Selection shall cease *processing* unless we have compelling legitimate grounds to continue to process the *personal data* which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

You have the right to object to your *personal data* being used for direct marketing.

Enforcement of rights

All requests regarding individual rights should be sent to the person whose details are listed in the Appendix.

Teamwork Selection shall act upon any subject access request, or any request relating to rectification, erasure, restriction, data portability or objection or automated decision making processes or profiling within one month of receipt of the request. We may extend this period for two further months where necessary, taking into account the complexity and the number of requests.

Where we consider that a request under this section is manifestly unfounded or excessive due to the request's repetitive nature we may either refuse to act on the request or may charge a reasonable fee taking into account the administrative costs involved.

Automated decision making

Teamwork Selection will not subject individuals to decisions based on automated *processing* that produce a legal effect or a similarly significant effect on you, except where the automated decision:

- Is necessary for the entering into or performance of a contract between the *data controller* and the individual;
- Is authorised by law; or
- The individual has given their explicit *consent*.

Teamwork Selection will not carry out any automated decision-making or *profiling* using the *personal data* of a child.

Personal Data Breaches

Reporting personal data breaches

All data breaches should be referred to the persons whose details are listed in the Appendix.

Personal data breaches where Teamwork Selection is the data controller:

Where Teamwork Selection establishes that a *personal data breach* has taken place, we will take steps to contain and recover the breach. Where a *personal data breach* is likely to result in a risk to the rights and freedoms of any individual we will notify the ICO.

Where the *personal data breach* happens outside the UK, we shall alert the relevant *supervisory authority* for data breaches in the effected jurisdiction.

Personal data breaches where Teamwork Selection is the data processor:

Teamwork Selection will alert the relevant *data controller* as to the *personal data breach* as soon as they are aware of the breach.

Communicating personal data breaches to individuals

Where Teamwork Selection has identified a *personal data breach* resulting in a high risk to the rights and freedoms of any individual, Teamwork Selection shall tell all affected individuals without undue delay.

We will not be required to tell individuals about the *personal data breach* where:

- Teamwork Selection has implemented appropriate technical and organisational protection measures to the *personal data* affected by the breach, in particular to make the *personal data* unintelligible to any person who is not authorised to access it, such as encryption.
- Teamwork Selection has taken subsequent measures which ensure that the high risk to the rights and freedoms of the individual is no longer likely to materialise.
- It would involve disproportionate effort to tell all affected individuals. Instead, Teamwork Selection shall make a public communication or similar measure to tell all affected individuals.

The Human Rights Act 1998

All individuals have the following rights under the Human Rights Act 1998 (HRA) and in dealing with *personal data* these will be respected at all times:

- Right to respect for private and family life (Article 8).
- Freedom of thought, belief and religion (Article 9).
- Freedom of expression (Article 10).
- Freedom of assembly and association (Article 11).
- Protection from discrimination in respect of rights and freedoms under the HRA (Article 14).

Appendix

Data Protection Officer

All members of Teamwork Selection staff are responsible for adding, amending or deleting personal data. The Data Protection Officer for Teamwork Selection is Juliet Capelastegui.

The Data Protection Officer is responsible for:

- responding to subject access requests/requests for rectification, erasure, restriction, data portability, objection and automated decision making processes and profiling;
- reporting data breaches/dealing with complaints;

Contact with the Data Protection team, including the Data Protection Officer will be via the following email address: dataprivacy@teamwork-selection.co.uk

Contact Us

If you have any questions or comments about this Privacy Policy, would like to exercise your rights or would like us to update information we have about you or your preferences, please email: dataprivacy@teamwork-selection.co.uk

or you can write to us at:

Teamwork Selection,
Brunswick House,
Pioneer Avenue,
Gloucester Business Park,
Gloucester
GL3 4AA

Complaints

If you have a complaint or suggestion about Teamwork Selection's handling of *personal data* then please contact the person whose details are listed in the Appendix to this policy.

Alternatively you can contact the ICO directly on 0303 123 1113 or at <https://ico.org.uk/global/contact-us/email/>

Updates to our Privacy Policy

This Privacy Policy may be updated periodically to reflect changes in our personal information practices. For significant changes we will notify you by posting a prominent notice on our website indicating at the top of the document when it was most recently updated.

Legal Bases for Processing Personal Data

a) The lawfulness of *processing* conditions for *personal data* are:

1. *Consent* of the individual for one or more specific purposes.
2. *Processing* is necessary for the performance of a contract with the individual or in order to take steps at the request of the individual to enter into a contract.
3. *Processing* is necessary for compliance with a legal obligation that the controller is subject to.
4. *Processing* is necessary to protect the vital interests of the individual or another person.
5. *Processing* is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the *data controller*.
6. *Processing* is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the individual which require protection of *personal data*, in particular where the individual is a child.

b) The lawfulness of *processing* conditions for *sensitive personal data* are:

1. Explicit *consent* of the individual for one or more specified purposes, unless reliance on *consent* is prohibited by EU or Member State law.
2. *Processing* is necessary for carrying out data controller's obligations under employment, social security or social protection law, or a collective agreement, providing for appropriate safeguards for the fundamental rights and interests of the individual.
3. *Processing* is necessary to protect the vital interests of the individual or another individual where the individual is physically or legally incapable of giving *consent*.
4. In the course of its legitimate activities, *processing* is carried out with appropriate safeguards by a foundation, association or any other not-for-profit body, with a political, philosophical, religious or trade union aim and on condition that the *processing* relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without the *consent* of the individual.
5. *Processing* relates to *personal data* which are manifestly made public by the individual.
6. *Processing* is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
7. *Processing* is necessary for reasons of substantial public interest on the basis of EU or Member State law which shall be proportionate to the aim pursued, respects the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interests of the individual.
8. *Processing* is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of EU or Member State law or a contract with a health professional and subject to the necessary conditions and safeguards.
9. *Processing* is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare and of medicinal products or medical devices, on the basis of EU or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the individual, in particular professional secrecy.
10. *Processing* is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard fundamental rights and interests of the individual.